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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,811	09/22/2003	Yun Cho	678-1121	2139
66547 7590 07/28/2008 THE FARRELL LAW FIRM, P.C. 333 EARLE OVINGTON BOULEVARD SUITE 701 UNIONDALE, NY 11553				
EXAMINER				
BOATING, ALEXIS ASTEDUA				
ART UNIT		PAPER NUMBER		
2838				
MAIL DATE		DELIVERY MODE		
07/28/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/667,811

Applicant(s)

CHO ET AL.

Examiner

Alexis Boateng

Art Unit

2838

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 10-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 4, 6 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Law (U.S. 5,733,674).

Regarding claim 1, Law discloses wherein a battery charger for a mobile phone comprising:

a first slot having an opening at front and top parts thereof and surrounded by a first inside wall and a first battery pack supporting surface the first slot receiving a first battery pack combined with the mobile phone.;

a second slot having an opening at front and top parts thereof and surrounded by a second inside wall and a second battery pack supporting surface, wherein the first battery pack supporting surface intersects the second inside wall to form an unobstructed opening between the first slot and the second slot, the second slot receiving a second battery pack, the second battery pack having a back surface, a lower end portion, and an upper end portion; and

a locking device disposed in the second slot, the locking device fixing and releasing the second battery into and from the second slot by combining with the second battery at the lower end portion and the upper end portion.

Regarding claim 4, Law discloses wherein the second battery pack supporting surface is a planar surface, and has a charging terminal thereon (column 8 lines 13 – 20).

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Law (U.S. 5,733,674) in view of Kobayashi (U.S. 5,691,618).

Regarding claim 5, Law does not disclose the invention as claimed. Kobayashi discloses wherein the charging terminal comes into contact with a terminal formed at a back surface of a battery pack when the battery pack is received on the second battery pack-supporting surface. At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify the Law system with the Kobayashi system so that the battery may be securely charged.

4. Claims 7, 8, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Law (U.S. 5,733,674) in view of Weiss (U.S. 5,059,885) and in further in view of Suzuki (U.S. 6,124,699).

Regarding claims 7, 8, and 10, Law discloses in figure 4 item 100 has fixing protrusions. In the alternative, Weiss discloses in figure 1 wherein item 111 is a fixing protrusion. At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify the Law system with the Weiss system so that the phone is securely fixed within the system while charging. Law and Weiss disclose the invention as previously claimed, but do not disclose the remainder. Suzuki discloses in figure 1A wherein item 5 is main lock to fix and release the battery. At the time of invention, it would have been obvious to a person of

ordinary skill in the art to modify the Law and Weiss system with the Suzuki system so that the battery is reinforced in the system to ensure optimum charging.

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Law (U.S. 5,733,674) in view of Weiss (U.S. 5,059,885) and in further in view of Ohira (U.S. 5,903,132).

Regarding claim 12, Law discloses a battery charger for a mobile phone comprising:

a first slot having an opening at front and top parts thereof and surrounded by a first inside wall and a first battery pack supporting surface the first slot receiving a first battery pack combined with a mobile device (figure 4 item 100);

a second slot having an opening at front and top parts thereof and surrounded by a second inside wall and a second battery pack supporting surface (figure 4 item 98), wherein the front part of the opening of the second slot faces the opening of the first slot and is open to the first slot so that there is no obstruction between the first slot and the second slot (figure 4 items 100 and 98).

It has been held that to be entitled to weight in method claims, the recited structure limitations therein must affect the method in a manipulative sense, and not to amount the mere claiming of a use of particular structure. *Ex parte Pfeiffer*, 1962 C.D. 408 (1961)

Law discloses in figure 4 wherein item 100 wherein the first slot has a plurality of fixing protrusions. In the alternative, Weiss discloses in figure 1

wherein item 111 is a fixing protrusion. At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify the Law system with the Weiss system so that the phone is securely fixed within the system while charging. Law and Weiss disclose the invention as previously claimed, but do not disclose the remainder. Ohira discloses in figure 1A wherein items 20 – 24 function a locking device for the battery. At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify the Law and Weiss reference with the Ohira reference so that the battery stays in place when charging.

Response to Arguments

3. Applicant's arguments filed 4/14/08 have been fully considered but they are not persuasive. **Regarding claim 12**, the applicant argues that the Law, and Weiss references fail to disclose a locking device fixing and releasing the second battery and from the second slot by combining the lower end portion and the upper end portion. Law and Weiss provide sliding grooves and slots for the mobile phone and secondary battery to be placed. The Ohira reference discloses a locking system for a battery which may combined with the Law and Weiss systems.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexis Boateng whose telephone number is (571) 272-5979. The examiner can normally be reached on 8:30 am - 6:00 pm, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ullah Akm can be reached on (571) 272-2361. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AB

*/Bao Q. Vu/
Primary Examiner, Art Unit 2838
July 21, 2008*